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17-16161

No. ~~16-17035~~

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IN THE

United States Court Of Appeals For The Ninth Circuit

FACEBOOK, INC.

Plaintiff – Appellee,

v.

POWER VENTURES, INC. & STEVEN SURAJ VACHANI

Defendants – Appellants.

On Appeal from the United States District Court
for the Northern District of California, No. 5:2008-
cv-05780, The Honorable Lucy Koh

**JOINT CONSENT MOTION TO EXTEND TIME FOR
OPENING BRIEF, ANSWERING BRIEF, AND REPLY
BRIEF**

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BY FAX

WHEREAS this Court, on September 8, 2017, granted Appellants' (Power Ventures Inc. and Steven Suraj Vachani) request for a 30-day streamlined extension of time to file their opening brief until October 11, 2017;

WHEREAS a petition for certiorari to the Supreme Court of the United States in the above-captioned case is currently pending;

Pursuant to Ninth Circuit Rule 31-2.2(b), the parties respectfully and jointly request an extension of the deadlines to file the Opening Brief, Answering Brief and Reply Brief in this appeal. Defendants-Appellants request that the Court grant an additional 47-day extension of the Opening Brief filing deadline, extending the deadline from October 11, 2017, to November 27, 2017. Plaintiff-Appellee requests a corresponding 77-day extension of the deadline to file their Answering Brief (equivalent to Defendant-Appellant's 30-day streamlined extension plus the additional 47-day extension that Defendant-Appellants now request), making that brief due on February 12, 2018 and the Defendant-Appellant's optional reply brief due on March 5, 2018. Each party consents to the other's extension request. The parties further represent that the briefs will be filed by the new deadlines and that neither side will seek an additional extension absent emergency circumstances or granting of Defendant-Appellants' petition for certiorari to the Supreme Court of the United States in the above-captioned case.

Plaintiff-Appellee consents to Defendants-Appellants extension request on the

condition that the Court grant a corresponding 77-day extension of the deadline to file the Opening Brief (equivalent to Defendant-Appellant's 30-day streamlined extension plus the additional 47-day extension that Defendant-Appellant now requests), making the Answering Brief due on February 12, 2018.

WHEREFORE, the parties jointly and respectfully request an extension of the deadlines to file the Opening Brief, Answering Brief, and Optional Reply Briefs—to November 27, 2017, February 12, and March 5, 2018, respectively.

RESPECTFULLY SUBMITTED this Second day of October, 2017.

By: /s/ Amy Anderson

By: /s/ Steven Vachani



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DECLARATION

Pursuant to Rule 31-2.2, the undersigned declares under the penalty of perjury that the court reporter is not in default with regard to any designated transcripts and that the statements included in the preceding motion are true and correct to the best of his ability.



/s/ Steven Vachani _____

CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2017, I caused the electronic filing of the foregoing *Joint Consent Motion to Extend Time for Opening Brief, Answering, Brief, and Reply Brief* with the Clerk of the Court for the United States Appeals for the Ninth Circuit using the appellate CM/ECF system.



/s/ Steven Vachani _____